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LETTER DATED 24 SEPTEMBER 1993 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to submit herewith a letter dated 24 September 1993 from the Minister for Foreign Affairs of the Republic of Croatia, Mr. Mate Granic, addressed to you.

I would be grateful if you would provide for the distribution of this letter and its annex as a document of the Security Council.

(Signed) Mario NOBILO
Permanent Representative

Annex

Letter dated 24 September 1993 from the Vice President and Minister for Foreign Affairs of Croatia addressed to the President of the Security Council

I am addressing you at this critical moment when decisions on the future of the United Nations Protection Force (UNPROFOR) in Croatia are to be made, in order to inform the Security Council about the actual position of the Croatian Parliament and the Croatian Government with regard to the report of the Secretary-General dated 20 September 1993 (S/26470).

We appreciate the contribution of the Security Council, the United Nations Secretariat and UNPROFOR personnel in peace-keeping efforts on the territory of Croatia. Croatia deeply regrets the losses that the international forces have suffered, and is grateful for their devoted humanitarian effort that benefited citizens of Croatia.

On 23 September 1993 the House of Representatives of the Croatian Parliament considered with utmost care the Secretary-General's aforementioned report, and decided that Croatia cannot accept prolongation of the UNPROFOR mandate on its territory under present circumstances. The Parliament gave its full support to the Government and the President of Croatia regarding their decision to terminate the UNPROFOR mandate in Croatia in its present form. Croatia cannot accept any prolongation of the "peace-keeping" operation that is in fact not keeping peace but preserving the status quo, which is seriously undermining the sovereignty and territorial integrity of Croatia.

The major changes in the UNPROFOR mandate that Croatia desires are based upon existing Security Council resolutions and reports of the Secretary-General. Croatia wants nothing more, but can accept nothing less, than is already inscribed in the Secretary-General's reports, particularly in documents S/23280, annex III, also known as the Vance plan and in Security Council resolutions 724 (1991), 762 (1992), 779 (1992), 802 (1993), 807 (1993), 815 (1993), 820 (1993) and 847 (1993).

The Croatian Parliament and Government welcome the Secretary-General's readiness to "take steps to implement such a division" [of UNPROFOR] (S/26470, para. 13), as proposed in the letter by the President of the Republic of Croatia dated 13 September 1993. But at the same time the willingness of the Secretariat to grant Croatia's proposal to separate the UNPROFOR mandate into three independent operations is not sufficient in itself. On the contrary it must be followed by concrete steps mentioned in the four following points, and with strong confidence-building measures such as the reopening of major communication, roads and routes, energy systems and other facilities throughout the United Nations protected areas.

With regard to the aforementioned, the Croatian Parliament and Government insist upon the following measures which should be regarded as an essential part of the future of UNPROFOR's presence on the territory of Croatia.

1. All of the military and police units of Serbian insurgents which are operating in the United Nations protected areas and pink zones must be "disbanded and demobilized [and] the personnel involved must cease to wear any uniforms and cease to carry weapons" (S/23280, annex III, para. 15). This is the pillar of the Vance plan and in our view the most important step towards peace. UNPROFOR completely failed to fulfil this task and that failure resulted in the continuation of military activities by Serbian insurgents including deliberate shelling of Croatian cities and other civilian targets. The Croatian Government fully shares the view expressed by the Secretary-General that "the first objective of UNPROFOR is to achieve demilitarization and the disbanding of paramilitary and irregular forces" (S/24188, para. 14), but at the same time must express its grave dismay that nothing in this regard has been achieved thus far.

The only armed force in the United Nations protected areas besides UNPROFOR, should be the local police units, carrying only side arms and which "in composition reflects the national composition of the population which lived in the area concerned before the recent hostilities" (S/23592, para. 17 (b)). All of the arms currently used by Serbian insurgents must be destroyed or handed over to the United Nations force for safe custody.

2. Croatia must be allowed to immediately restore its governmental authority in the entire area of the so-called "pink zones". We are prepared to begin "an internationally monitored, step-by-step, reintroduction of Croatian Government authority in such a manner as to minimize the danger of further hostilities and any further destabilization of the adjoining regions (S/24188, para. 17). Unfortunately the UNPROFOR operation never achieved this goal. Croatia wishes to emphasize the fact that the "pink zones" have never, in any way, been a part of the United Nations protected areas.

Croatia insists upon the full implementation of the Secretary-General's report (S/24188) in particular the part which emphasizes that in the pink zones, "UNCIVPOL would supervise the restoration of authority by Croatian police and the re-establishment of the local police in proportion to the demographic structure of the areas prior to the conflict" (para. 16 (d)).

3. The process of the return of refugees and displaced persons to their homes must finally begin. The Vance plan clearly states that "in accordance with internationally established principles the United Nations policy is to facilitate the return to their homes of all persons displaced by the recent hostilities who so desire" (S/23280, annex III, para. 20). The Croatian Government must stress with great disappointment that, contrary to the aforementioned principle, tens of thousands of refugees from the United Nations protected areas have not yet been able to return to their homes. On the contrary, the process of ethnic cleansing in the United Nations protected areas and "pink zones" has been completed in the presence of peace-keeping forces, with thousands more refugees expelled and hundreds of people killed. The Secretary-General, in his report of 28 September 1992, stated that "the frustration at this state of affairs expressed by the Government of Croatia and the refugees themselves is entirely understandable" (S/24600, para. 35).

Exactly one year later the situation remains very much the same, if not worse.

4. The international borders of Croatia that form the boundary of the United Nations protected areas must be put under efficient international control, thus preventing Serbian insurgents from violating them by moving weapons, ammunition, military equipment and manpower. In spite of the hostile actions by Serbian insurgents and their refusal to let UNPROFOR take control of the borders, it is the strong opinion of the Croatian Government that resolution 769 (1992) must be fully implemented. UNPROFOR "should have powers to perform immigration and customs functions at the UNPA borders where these coincide with the international frontiers [in the Republic of Croatia]" (S/24353, para. 28).

Croatia considers the full protection of human rights and minority rights, in particular of the Serbian population in the United Nations protected areas, to be of utmost importance for the overall political solution. Therefore, we firmly guarantee those rights as inscribed in the Constitution of the Republic of Croatia and the Constitutional Law on the Rights of Minorities and Ethnic Communities, as well as the Amnesty and Abolition Laws. I wish to emphasize that Croatia wants to implement these norms as soon as possible, and invites international monitors, such as those envisaged by the Conference on Security and Cooperation in Europe (CSCE) and the Council of Europe.

The Croatian Parliament and Government are fully aware of all the possible consequences and responsibilities which could result from the cancellation of the UNPROFOR mandate on the territory of Croatia. However, we are left with no options but to request the guarantees that, by the end of the year, the provisions in essential documents be fully implemented, including the provisions set forth in document S/23280, annex III, paragraph 15, adopted by Security Council resolution 724 (1991) on 14 December 1991; the provisions set forth in document S/24188, paragraph 17 adopted by Security Council resolution 762 (1992) on 27 July 1992; the provisions set forth in document S/23280, annex III, paragraph 20 adopted by Security Council resolution 724 (1991); and the provisions set forth in document S/24353, paragraph 28 adopted by Security Council resolution 769 (1992) on 7 August 1992.

Considering the above, the Croatian Parliament and Government deeply regret that, if the aforesaid guarantees are not incorporated into the resolution concerning the extension of the UNPROFOR mandate, upon the expiration of the present interim extension, it shall consider the mandate, for the territory of Croatia terminated.

If the above guarantees are not included in the operative part of the resolution, Croatia hereby requests the withdrawal of all the UNPROFOR contingents by 30 November 1993.

However, if the above guarantees are incorporated in the operative part of the resolution renewing the mandate of UNPROFOR for the territory of Croatia, my Government will welcome the extension of the UNPROFOR mandate for the term suggested in the Secretary-General's report (S/26470, para. 16).

It has to be emphasized once again that Croatia does not oppose the UNPROFOR operation on its territory - it opposes UNPROFOR's inefficiency. Therefore, we have advocated, and continue to support the involvement of the North Atlantic Treaty Organization (NATO) in the implementation of the peace plan for Croatia.

In the light of the tragic humanitarian situation in neighbouring Bosnia and Herzegovina, Croatia is willing to allow a limited civilian affairs operation in Croatia's coastal regions for the purpose of facilitating the delivery of humanitarian aid to the Bosnian people. Furthermore, continued unrestricted access will be provided to all the humanitarian agencies operating in Croatia, as well as the use of Croatian ports and transportation routes for the possible peace mission of NATO in Bosnia and Herzegovina.

(Signed) Mate GRANIC
Vice-President and Minister for
Foreign Affairs